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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Satoshi SUGAHARA et al.

Group Art Unit: 2815

Application No.: 10/551,802

Examiner: J. VALENTINE

Filed: December 2, 2005

Docket No.: 125471

For: TUNNEL TRANSISTOR HAVING SPIN-DEPENDENT TRANSFER  
CHARACTERISTICS AND NON-VOLATILE MEMORY USING THE SAME

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

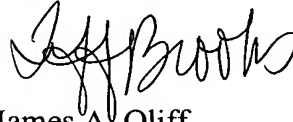
Sir:

In reply to the March 28, 2007 Restriction Requirement, Applicants provisionally  
elect Group 6, claims 35-99, with traverse.

It is also respectfully submitted that the subject matter of all claims 35-99 is  
sufficiently related that a thorough search for the subject matter of any one Group of claims  
would encompass a search for the subject matter of the remaining claims. Thus, it is  
respectfully submitted that the search and examination of the entire application could be made  
without serious burden. See MPEP §803 in which it is stated that "if the search and  
examination of an entire application can be made without serious burden, the examiner must  
examine it on the merits, even though it includes claims to independent or distinct inventions"  
(emphasis added). It is respectfully submitted that this policy should apply in the present  
application in order to avoid unnecessary delay and expense to Applicants and duplicative  
examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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JAO:TJB/jls

Date: April 23, 2007

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